

CHAPTER 10 DEPOSITS ON PUBLIC SPACE

Secs.	
1000	Prohibited Deposits: General Provisions
1001	Excavation and Construction
1002	Vacant Lots and Open Spaces
1003	Coal Deliveries
1004	Salt and Salt Water
1005	Ice and Snow
1006	Gasoline, Chemicals, and Oily Substances
1007	Transportation of Materials
1008	Paper, Handbills, Circulars, and Advertising Material
1009	Public Waste Receptacles

1000 PROHIBITED DEPOSITS: GENERAL PROVISIONS

- 1000.1 No person shall throw, cast, deposit, drip, scatter, or leave; or cause to be thrown, cast, laid, deposited, scattered, or left in or upon any street, avenue, alley, highway, footway, sidewalk, parking, or other public space in the District of Columbia; any of the following:
- (a) Dirt, mud, ashes, gravel;
 - (b) Trees, sawdust, shavings, hay, straw;
 - (c) Offal, vegetable matter, garbage;
 - (d) Coal, cinders;
 - (e) Paper or refuse matter of any kind; or
 - (f) Any dead animal or putrescible matter of any sort.
- 1000.2 No person shall kindle or set on fire any combustible material upon any paved sidewalk or roadway.
- 1000.3 No person shall shake, beat, or otherwise treat carpets, rugs, floor coverings, garments, clothes, linings, covers, furniture, or other articles in such a manner as to cause dust to settle upon other premises or upon any street, avenue, park, square, road, or reservation in the District of Columbia within two hundred feet (200 ft.) of any house used for human habitation, occupation, or assembly.
- 1000.4 No person shall deposit, place, sift, shake, or otherwise treat ashes or other rubbish in any manner that causes dust to settle on other premises.

- 1000.5 No person shall cause or permit to flow, or cast or cause to be cast, dropped, or spilled upon or into any vacant lot, open space, street, avenue, alley, highway, footway, sidewalk, parking, or other public space in the District of Columbia, any foul drainage or foul matter of any kind; nor shall any person carry or transport on, over, or through any vacant lot, open space, street, avenue, alley, highway, footway, sidewalk, parking, or other public space, any filth, offal, or offensive matter without a permit from the Director of the D.C. Department of Human Services.
- 1000.6 Owners of lots abutting upon streets, avenues, or alleys, or upon public parking or other public space, in the District of Columbia, and which are above grade, shall protect the lots so as to prevent dirt, sand, or gravel, or any bushes, trees, or like things from falling or being washed upon the public parking in front of the lots, or upon the sidewalks, streets, or alleyways adjacent to the lots.
- 1000.7 No person shall throw or place, or cause to be thrown or placed, any stones, gravel, earth, or other substance or material into any canal in the District of Columbia; or into the feeders, basins, or other works of any canal; or upon the towpath of any canal.
- 1000.8 Any person who fails to comply with this section shall be subject to civil sanctions provided in the Litter Control Administration Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Code §6-2901 *et seq.*), and shall be subject to a fine of not less than five hundred dollars (\$500) and not more than one thousand (\$1,000) for the first offense. Continued or repeated failure to comply with this section shall be grounds for suspension or revocation of a solid waste collector's license.

AUTHORITY: Unless otherwise noted, the authority for this chapter is An Act approved January 26, 1887, 24 *Stat.* 368, ch. 49, §1, D.C. Code §1-1-315; §412 of the District of Columbia Self-Government and Governmental Reorganization Act, as amended, 87 *Stat.* 790, Pub.L. No. 93-198, D.C. Code §1-227(a) (1992 Repl. Vol.).

SOURCE: Article 3, §§1, 2, 5, 9, 20, Article 25, §11 of the Police Regulations (May 1981); as amended by §10 of the District of Columbia Abandoned and Junk Vehicle Removal Amendment Act of 1989, D.C. Law 8-24, 36 DCR 4575, 4581, June 30, 1989.

1001 EXCAVATION AND CONSTRUCTION

- 1001.1 The provisions of this section shall apply to persons engaged in or having charge or control of, or who may be engaged in or have charge or control of conveying material to or from, any of the following activities:
- (a) Excavating;
 - (b) Repairs to structures or grounds; or
 - (c) Construction.
- 1001.2 No person subject to the provisions of this section shall deposit, or permit to be deposited, in any manner, any earth, clay, mud, sand, gravel, or other material upon the surface of any street, alley, avenue, highway, footway, sidewalk, parking, or other public space, either by placing, spilling, dropping, or tracking from the wheels of vehicles, or from the feet of animals, or otherwise.

- 1001.3 If any earth, clay, mud, sand, gravel, or other material is deposited on a public space, a person whose duty it is under this section to prevent a deposit shall promptly remove it.
- 1001.4 All macadamized or broken-stone roadways adjacent to excavations, or traversed vehicles either in the process of conveying material from an excavation or in returning to the place of excavation from the place of deposit, shall be covered with planking as may be required to prevent any mud, earth, clay, or other material from the excavation or from the place of deposit from reaching the surface of the roadway.
- 1001.5 Earth and rubbish from excavations, or building debris or material used in the construction of buildings, may be placed or permitted to lie on public space, as now authorized by the Building Regulations of the District of Columbia, or as may be authorized by permit previously obtained from the Director of the Department of Consumer and Regulatory Affairs.

SOURCE: Article 3, §1 of the Police Regulations (May 1981).

1002 VACANT LOTS AND OPEN SPACES

- 1002.1 No person shall throw or deposit, or cause to be thrown or deposited, on any vacant lot or open space in the District any of the following:
- (a) Sawdust, shavings, vegetable matter, weeds;
 - (b) Paper, rubbish, litter, garbage;
 - (c) Offal, dead animal or putrescible matter of any sort;
 - (d) An abandoned vehicle, or any other solid waste refuse as defined in 21 DCMR §799.1; or
 - (e) Any other thing that is injurious to public health.
- 1002.2 No deposit shall be permitted to remain on a vacant lot or open space.
- 1002.3 The owner or owners of any lot, lots, or square of ground in the District of Columbia, or their agents, who let their lot, lots, or square for any circus or other exhibition, shall, within twenty-four (24) hours after the exhibition leaves, clear and remove waste paper and deposits of all kinds from the lot, lots, or square, to the satisfaction of the Director, Department of Public Works.
- 1002.4 This section shall not apply to deposits of substances not injurious to health on any place designated by the Mayor as a public dump, where permission to make deposits is granted by the Mayor.

SOURCE: Article 3, §2 of the Police Regulations (May 1981); as amended by §4 of the District of Columbia Solid Waste Regulations Amendment Act of 1989, D.C. Law 8-31, 36 DCR 4750, 4753 (July 7, 1989).

1003 COAL DELIVERIES

- 1003.1 Coal may be deposited on a lot or square for removal to abutting premises, in accordance with the provisions of this section.
- 1003.2 Removal of coal to abutting premises shall be made within one (1) hour of deposit in the case of bituminous or "soft" coal; and within two (2) hours, in the case of anthracite or "hard" coal.
- 1003.3 Coal shall be deposited and placed in such manner as to leave a clear passageway for vehicles at all times.
- 1003.4 Bituminous or soft coal shall be made sufficiently wet before and immediately after being deposited to prevent any part of it being blown about.

SOURCE: Article 3, §1 of the Police Regulations (May 1981).

1004 SALT AND SALT WATER

- 1004.1 No person shall dump, pour, or spill any salt or salt water or other deleterious matter upon any tree or tree space in any public place, street, avenue, roadway, or other highway.
- 1004.2 No person shall keep or maintain upon any sidewalk within ten feet (10 ft.) of any tree or tree space any receptacle from which salt water leaks or drips; and no person shall pour salt water into any parking or unconcreted gutter so as to injure any shade tree occupying public space.

SOURCE: Article 3, §6 of the Police Regulations (May 1981).

1005 ICE AND SNOW

- 1005.1 No person shall throw, cast, or deposit in or upon any street, avenue, alley, highway, footway, or sidewalk any snow that may have fallen upon or ice that may have accumulated on the roof of any building or other structure.
- 1005.2 If necessary for public safety to remove snow or ice from the roof of any building or structure, and it is impracticable to do so without violating the prohibition in §1005.1, that prohibition shall be waived if the person offending the prohibition immediately removes the snow or ice that has been thrown, cast, or deposited on the street, avenue, alley, highway, footway, or sidewalk.

SOURCE: Article 3, §1 of the Police Regulations (May 1981).

1006 GASOLINE, CHEMICALS, AND OILY SUBSTANCES

- 1006.1 No person shall pour, spill, or permit to drip upon the pavement of any street, alley, or public place in the District of Columbia any kerosene, gasoline, benzine, or other similar oil or oily substance or liquid.

- 1006.2 The provision of this section shall not apply, however, to the dripping of lubricating oil from either motor or other vehicles.
- 1006.3 An oil or water-tight, zinc-lined box or tray shall be securely fastened under the taps or faucets of all oil or delivery wagons or trucks.
- 1006.4 In filling any measure or other vessel from the taps or faucets on a delivery tank or wagon, the measure or other vessel shall be held so that any drip or overflow shall flow into the box or tray required under §1006.3.
- 1006.5 In removing the measure or other vessel from over the pavement, no drip or overflow from the measure or other vessel shall be permitted to fall upon the pavement, and no receptacles for holding oil shall be placed on the pavement.

SOURCE: Article 8, §§4, 5 of the Police Regulations (May 1981).

1007 TRANSPORTATION OF MATERIALS

- 1007.1 No owner, driver, manager, or conductor of any cart or other vehicle shall carry or convey, or cause to be carried or conveyed, in that vehicle any coal, earth, sand, gravel, broken stone, dirt, ashes, paper, and other rubbish; or any loose fluid or offensive articles or matter; or any articles whatsoever; so that these articles shall be scattered, dropped, blown, or spilled from the vehicle.
- 1007.2 All vehicles conveying combustible refuse; or foul, dusty, or offensive matter of any sort; shall have tight bodies and be closely and securely covered.
- 1007.3 All vehicles conveying waste paper and waste paper products that are baled, sacked, or otherwise carried, shall be closely and securely covered.
- 1007.4 No person shall remove or transport any manure over any public highway in any of the more densely populated parts of the District of Columbia; except in a tight vehicle which, if not enclosed, shall be covered with canvas that is secured to the sides and ends of the vehicle so as to prevent the manure from being dropped while being removed, and so as to limit as much as practicable the escape of odors from the manure.

SOURCE: Article 3, §§10, 11 of the Police Regulations (May 1981).

1008 PAPER, HANDBILLS, CIRCULARS, AND ADVERTISING MATERIAL

- 1008.1 No paper, handbills, dodgers, cards, circulars, or advertising matter of any kind, or samples of merchandise, shall be thrown, pushed, cast, deposited, dropped, scattered, distributed, or left in or upon any street, avenue, alley, highway, footway, sidewalk, parking, or other public space in the District of Columbia, or in or upon or from any vehicle.
- 1008.2 No paper, handbills, dodgers, cards, circulars, or advertising matter of any kind, or samples of merchandise, shall be thrown, pushed, cast, deposited, dropped, scattered, distributed, or left in or upon the parking or doorsteps of any premises

in the District of Columbia, or within the building line, vestibule, or yard of any premises, if it is likely to be taken up by the wind and scattered in the streets, or in or upon any of the places listed in §1008.1.

- 1008.3 This section is not intended to prevent the delivery of newspapers and addressed envelopes within the building line of any premises within the District, or the distribution of anything other than commercial and business advertising matter.

SOURCE: Article 3, §8 of the Police Regulations (May 1981).

1009 PUBLIC WASTE RECEPTACLES

- 1009.1 Public wastepaper boxes shall not be used for the disposal of refuse incidental to the conduct of a household, store, or other place of business or domicile, but shall be reserved for small quantities of waste or refuse by persons who pass by.

- 1009.2 No person shall do the following:

- (a) Damage or set fire to a public wastepaper box or its contents; or
- (b) Affix a sign, advertisement, or poster to a public wastepaper box.

- 1009.3 Except for authorized District employees, no person shall open or move a wastepaper box or remove its contents.

SOURCE: Section 4 of the District of Columbia Solid Waste Regulations Amendment Act of 1989, D.C. Law 8-31, 36 DCR 4750, 4753 (July 7, 1989).